

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

KEITH LAMAR BECKWITH,

Plaintiff,

v.

CASE NO. 2:14-CV-933-WKW  
[WO]

STATE OF ALABAMA; KIM  
TOBIAS THOMAS, former  
Commissioner of the Alabama Dep't  
of Corrections, in his individual  
capacity; JEFFERSON DUNN,  
Commissioner of the Alabama  
Dep't of Corrections, in his  
official capacity; CHRISTOPHER  
GORDY, Warden, in his individual  
and official capacities; Robert  
Bentley, former Governor of the State  
of Alabama, in his individual  
capacity; and KAY IVEY, Governor  
of the State of Alabama, in her  
official capacity,<sup>1</sup>

Defendants.

**ORDER**

Before the court is the Recommendation of the Magistrate Judge to which Plaintiff filed a timely objection. (Docs. # 27, 28.) Upon an independent and *de*

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Kay Ivey, as the current Governor of the State of Alabama, and Jefferson Dunn, as the current Commissioner of the Alabama Department of Corrections, are automatically substituted in their official capacities for Robert Bentley and Kim Tobias Thomas, respectively.

*novo* review of those portions of the Recommendation to which objection is made, *see* 28 U.S.C. § 636(b)(1), the court finds that Plaintiff presents no arguments that demonstrate error in the Recommendation. Accordingly, it is ORDERED as follows:

- (1) Plaintiff's objections (Doc. # 28) are OVERRULED;
  - (2) The Recommendation of the Magistrate Judge (Doc. # 27) is ADOPTED;
  - (3) Defendants' motion for summary judgment (Doc. # 14) is GRANTED;
- and
- (4) Costs are TAXED against Plaintiff.

A final judgment will be entered separately.

DONE this 30th day of August, 2017.

/s/ W. Keith Watkins  
CHIEF UNITED STATES DISTRICT JUDGE